

June 24, 2008

The Common Council met as the Water Utility Board at 7:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Waters; Comm. Maynard; Supt. Givens; Jerry Walden; Ann Blackburn; Sis Claxton; Geneva James; Tim Hermes – Sitco; Randy Stapp – Mt. Vernon Lions Club; Dave and Judy Whitten; Valerie Werkmeister – Posey County News; and Amy Moore – Mount Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minute of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Board member Higgins moved the reading of the minutes be waived and they be approved as presented.

Seconded by Board member Fuelling.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Askren moved the claims presented be allowed for payment. Seconded by Board member Curtis.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Tucker stated they will now hear the report of the Water Chairman.

Chairman Curtis stated construction has begun on the new filter and yes, ground has now been broken. He further stated the footings should be poured next week, though they have yet to hear anything back from CSX. He added Aventine has also contacted CSX though they have heard nothing yet either. He stated he has heard through the grapevine that CSX does have plans to vacate the tracks. He concluded by stating everything else seems to be working fine for now and hopefully Supt. Gray can keep it that way.

Mayor Tucker asked if Supt. Gray had a report ?

Supt. Gray replied he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated they have the Financial Report before them and any questions could be directed to Bookkeeper Bennett.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Board ?

Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker asked if there were any Legals for consideration ?

Attorney Higgins replied there will be a hearing at the Board of Zoning Appeals on July 12, 2008 at 5:00 p.m. that will be of interest to the water department. She added she will have an update on that meeting at the next meeting of the Utility Board.

Mayor Tucker stated in the Audience is Tim Hermes of Sitco who would like to address the Board.

Mr. Hermes stated they currently have received permission of the Board to place of their antennas on the west side water tower; and at that time, another supplier had requested use of the north tower, which was also

approved. He stated he would like to amend their current agreement to allow Sitco to also be able to use the north tower.

Board member Curtis asked if this is to allow internet service in the Farmersville school area ?

Mr. Hermes replied that is it exactly. He added he has received requests in that area already.

Board member Curtis stated he does not recall the details from when all of this went down with Sitco and the other supplier.

Attorney Higgins replied Sitco signed a contract to be able to utilize the west tower, which she can get a copy to Board members at a later date. She reminded the Board that two vendors approached the Board at that time, though no agreement has been finalized on the north tower with the other vendor.

Mr. Hermes stated the other vendor never utilized the north tower, and he has been told that the other vendor is ceasing operations at the end of this month.

Attorney Higgins added she would like something in writing from the other vendor denying his need for use of the north tower.

Board member Curtis agreed but added if they have folks interested in this service, they should move quickly.

Mr. Hermes replied Sitco is ready to move forward immediately and wondered if they could possibly amend their current agreement.

Board member Curtis stated they could make a decision at the next meeting, after Attorney Higgins has made contact with the other vendor. He then stated he hopes Mr. Hermes is aware that the north tower could possibly come down at some point.

Mr. Hermes replied he understands that is a possibility, but they will cross that bridge at a later date. He added Sitco wants to be a good neighbor. He then thanked the Board for their time.

Board consented to proceed in that direction, after hearing back from Attorney Higgins.

Jerry Walden approached and stated he received a letter last week from Mr. Weatherford, the other vendor in question, indicating he is going to be discontinuing his service. He added he believes Mr. Weatherford had lightning issues and he also thought the tower had no electricity to it, that may need to be restored, but he is in favor of Sitco.

Mayor Tucker asked if anyone else in the Audience wished to address the Board ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Board member Askren moved the meeting be adjourned. Seconded by Board member Fuelling.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and Council members Askren, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Waters; Comm. Maynard; Supt. Givens; Jerry Walden; Ann Blackburn; Sis Claxton; Geneva James; Randy Stapp – Mt. Vernon Lions Club; Dave and Judy Whitten; Valerie Werkmeister – Posey County News; and Amy Moore – Mount Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minute of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Councilman Curtis moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilman Fuelling.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Standing Committees.

Street & Light Chairwoman Askren stated she has no report.

Comm. Maynard reported due to the 4th of July Holiday on Friday, trash will be picked up on Monday, July 7, 2008.

Mayor Tucker asked if there were any questions ?

There were none.

Police & Dog Chairman Fuelling stated he has no report.

Chief Beloit stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Fire Chairwoman Hoehn stated she has no report.

Chief Waters stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Sewer Chairwoman Higgins stated she has no report.

Supt. Givens stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Council ?

Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker asked if there were any Legal items for consideration ?

There were none.

Mayor Tucker stated in the Audience is Randy Stapp with the Lions club.

Mr. Stapp stated he is with the Lions Club and is present to request the riverfront be blocked off July 5 for their annual fireworks celebration. He added though there is no summerfest this year, they have received good donations from downtown merchants.

Mayor Tucker stated normally this is a Board of Works issue. He added they will meet Wednesday, July 2 and they can bring it up at that time. He reminded Mr. Stapp of the insurance paperwork.

Mr. Stapp indicated he would get that to the Clerk-Treasurer before the July 2 meeting.

Mayor Tucker asked if anyone else wished to address the Council ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

Councilman Fuelling he really appreciates the cooperation between the city workers and department heads on the continuing work being done at the riverfront where the old bakery used to sit. He added it is leveled off and looks better and better everyday.

Judy Whitten agreed and added it looks wonderful.

Councilman Fuelling added it is really coming together nicely.

Mayor Tucker stated he would like to add that Councilman Fuelling deserves a pat on the back, as he has been overseeing the work being done down there and is literally down there everyday. Thank you, Councilman Fuelling.

Mayor Tucker asked if there was any New Business ?

Councilman Curtis stated he would like to announce there will be a meeting with Rodney Buchanan from Evansville Western Railroad on July 16 at 7:00 at the library, to discuss the train situation in Lawrence Addition. He added he believes there will be a number of people in attendance including representative from Senators Bayh and Lugar's office as well as State Senator Deig; Representative VanHaaften; and Congressman Ellsworth.

Councilwoman Hoehn wondered if McKims IGA could post a flyer on their door for those who do not get the newspaper.

Councilman Curtis added they may need to move the meeting to the Hovey House due to the possibility of a large crowd.

Councilwoman Hoehn agreed that would be a good idea.

It was decided Council would check on the availability of the Hovey House and Councilman Curtis would cancel the room at the library, if need be.

Mayor Tucker stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she was approached by a woman at work concerning golf carts on the streets. She added Chief Beloit says he is not sure how New Harmony gets away with allowing them on the streets, but at this point, she would just like some community feedback. She added she realizes they are not allowed to cross a major highway, she believes the lady she spoke with was just wanting to find out the Council's feelings on the issue.

Chief Beloit stated this has come up in the past and the legal interpretation of the Indiana Code is that golf carts are no different than four wheelers, they are to used on county roads; they are on off-road vehicle. He stated they should not be allowed on city streets, though New Harmony does have an ordinance allowing this in their town. He added again, their legal advice was based on Indiana Code, therefore, they are defined as off-road vehicles.

Councilwoman Askren stated she just wanted to let the public be aware and get any feedback they may have. She added she does not see how they can make it legal, though she does realize with gas being like it is, people are trying to find cheaper modes of transportation, etc.

2nd District Councilman Fuelling stated he has no report.

3rd District Councilwoman Hoehn stated she received a call of thanks for the lady on Smith Road for the Council's quick handling of her sewer issue, she was very appreciative.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated she has no report.

Mayor Tucker stated this concludes their regular council meeting, though the Council is asked to stay after a short recess to discuss budget preparation for the 2009 budgets.

After a short recess, Council again came together to discuss budget preparations, at which time, the meeting was then adjourned.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer